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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,307	10/31/2003	Glenn A. Hamblin	5402.006	5454
34282	7590	04/18/2006	EXAMINER	
QUARLES & BRADY STREICH LANG, LLP			LEE, WILSON	
ONE SOUTH CHURCH AVENUE			ART UNIT	PAPER NUMBER
SUITE 1700				2821
TUCSON, AZ 85701-1621				

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/700,307	HAMBLIN, GLENN A.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Wilson Lee	2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 January 2006.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-32 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 4-28,31 and 32 is/are allowed.
- 6) Claim(s) 1,2,29 and 30 is/are rejected.
- 7) Claim(s) 3 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

### **Response to Arguments**

Applicant's arguments filed 1/23/06 have been fully considered but they are not persuasive.

Applicant argues that Ferraro fails to disclose a multi-voltage input including a single input channel wherein the single input channel is adapted to connect to various power sources.

Examiner respectfully disagrees.

Ferraro's power input, which is connected to 120V AC line, is a multi-voltage input including a single input channel wherein the single input channel is adapted to connect to various power sources. It can be any power source that provides 120V AC. For examples, various power sources such as outlet in living room, outlet in bedroom, outdoor outlet in front of a house, outdoor outlet at the back of a house, in an office, etc. They are all various in term of location.

Applicant argues that Crisafulli fails to disclose a multi-voltage input including a single input channel wherein the single input channel is adapted to connect to various power sources.

Examiner respectfully disagrees.

Crisafulli's threshold adjuster (See figure 4), which is connected to potentiometer (52), is a multi-voltage input including a single input channel wherein the single input channel is adapted to connect to various power sources in term of various voltages at the potentiometer (52).

### **Claim Objections**

Claim 32 is objected because "Central Data Collection" in line 11 should be changed to --central data collection--.

### **Claim Rejections – 35 U.S.C. 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Ferraro (6,320,506).

Regarding Claim 1, Ferraro discloses an emergency lighting battery system comprising:

- a battery (battery pack 154);
- a processing circuit (20);
- a multi-voltage input (input connected to 120V AC line) including a single input channel wherein the single input channel is adapted to connect to various power sources various power sources such as outlet in living room, outlet in bedroom, outdoor outlet in front of a house, outdoor outlet at the back of a house, in an office, etc. (They are all various in term of location);
- an occupation awareness sensor (motion detector 621).

Regarding Claim 2, Ferraro discloses a current sensor (See Abstract, line 11) and a voltage sensor (See Col. 9, line 48).

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Claims 1, 29, 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Crisafulli et al. (5,376,925).

Regarding Claim 1, Crisafulli discloses an emergency lighting battery system comprising:

- a battery (See Col. 6, line 21);
- a processing circuit (12);
- a multi-voltage input (voltage probe that connects to potentiometer 52) (See Figure 4 and Col. 3, lines 44-63) including a single input channel (threshold adjuster) wherein the single input channel is adapted to connect to various power sources (Various threshold voltages. Various power sources in term of various voltages);
- an occupation awareness sensor (20).

Regarding Claim 29, Crisafulli discloses a switch (16) and an external data transmission system (24).

Regarding Claim 30, Crisafulli discloses that the external data transmission system comprises a radio transmitter (See Figure 1).

### **Claim Rejections – 35 U.S.C. 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katyl et al. (5,519,289) in view of Ferraro (6,320,506).

Regarding Claim 1, Katyl discloses an emergency lighting battery system comprising:

- a processing circuit (100);
- a multi-voltage input (90) including a single input channel wherein the single input channel is adapted to connect to various power sources (e.g. any AC sources in term of various line voltages or locations) (See Col. 5, lines 1-47) (i.e. Katyl teaches that his invention can be operate with an AC source even in excess of 220 V because it has a transformer and filter that regulate to a desired DC voltage),
- an occupation awareness sensor (motion detector 710, 712) (See Figure 8).

As discussed above, Katyl essentially discloses the claimed invention but fails to disclose a battery. However, Ferraro discloses a battery for supplying voltage to the lamps. It would have been obvious to one of ordinary skill in the art to provide battery supply in Katyl as taught by Ferraro in order to render portability in Katyl. Further, merely changing the power supply to battery in any circuit including Katyl does not render any novelty and unexpected results.

Regarding Claim 29, Katyl discloses a switch (154) and an external data transmission system (external means, dimming network) (See Col. 8, lines 11-20).

### **Allowable subject matter**

Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 4-28, 31-32 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art neither discloses nor suggests the following limitations, in combination with the remaining elements as disclosed in claims 4, 23, 31, 32:

- an inverter frequency sensor such as required by claim 4;
- wherein data is transmitted from the processing device is the lighted push-button switch such as required by claim 23;
- wherein the external data transmission system comprises a power line data interface such as required by claim 31;
- wherein the external data transmission system transmits data to a central data collection point such as required by claim 32.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

#### **Correspondence**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (571) 272-1824.

Papers related to Technology Center 2800 applications may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The official fax number is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Wilson Lee  
Primary Examiner  
U.S. Patent & Trademark Office

4/17/06

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